

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA DIVISION**

2011 JUL 12 A 11:53

**ROBERT R. BELL, JR., on Behalf of
Himself and All Others Similarly Situated
12040 Ridge Road
Renovo, PA 17764**

Plaintiff,

vs.

**US XPRESS, INC.
4080 Jenkins Road
Chattanooga, TN 37421**

Defendant.

CASE NO. 1:11-CV-00181

DISTRICT JUDGE CURTIS COLLIER

MAGISTRATE JUDGE SUSAN LEE

MOTION FOR LEAVE TO APPEAR PRO HAC VICE

Pursuant to LR 83.5(b), Plaintiff moves this Court for an Order permitting Dennis M. O'Toole to practice in the United States District Court for the Eastern District of Tennessee Chattanooga Division, for purposes of this case only.

Pursuant to LR 83.5(b), I have attached the required Certificate of Good Standing in support of this motion, the prescribed fee in the amount of \$60.00 and a written consent to be subject to the jurisdiction and rules of the Kentucky Supreme Court governing professional conduct.

Pursuant to LR 83.5(b), I have completed the necessary ECF training at the time of my admission with the United States District Court Northern District of Ohio.

Pursuant to LR 83.5(b), Counsel has been retained as counsel by Plaintiff, Robert R. Bell, Jr., in the above-captioned matter.

Pursuant to LR 83.5(b), Counsel has associated with local counsel, Michael Schmitt of Ortale, Kelley, Herbert & Crawford.

Pursuant to LR 83.5(b), Counsel would further aver that he is not now, nor has been subject to any disciplinary rulings from any bar.

Pursuant to LR 83.5(b), Counsel has reviewed the local rules and agrees to abide by those rules in the representation of Plaintiff.

WHEREFORE, Dennis M. O'Toole respectfully requests that the Court grants his Motion and enter an order accordingly.

Respectfully submitted,

STUMPHAUZER, O'TOOLE, McLAUGHLIN,
McGLAMERY & LOUGHMAN CO., LPA

By:


Dennis M. O'Toole
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Sheffield Village, Ohio 44054
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Facsimile: (440) 934-7208
Email: mdooley@sheffieldlaw.com
apecora@sheffieldlaw.com
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ORTALE, KELLEY, HERBERT & CRAWFORD

By:

/s/ Michael Schmitt
Michael Schmitt (TN Bar 026573)
200 Fourth Avenue North
P.O. Box 198985
Nashville, Tennessee 37219-8985
Telephone: (615) 780-7526
Facsimile: (615) 726-1494
Email: MSchmitt@ortalekelley.com

CERTIFICATE OF SERVICE

This will certify that a copy of the foregoing Motion for Leave to Appear Pro Hac Vice was filed via U.S. Mail this 11 day of July, 2011. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system or via electronic mail.



Dennis M. O'Toole

The Supreme Court of Ohio

C E R T I F I C A T E

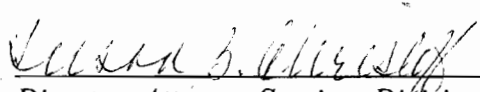
I, SUSAN B. CHRISTOFF, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Office of Attorney Services of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

Dennis Michael O'Toole

was admitted to the practice of law in Ohio on November 09, 1974; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court, this 3rd day of June, 2011.

SUSAN B. CHRISTOFF



Director, Attorney Services Division

Court Name: U S District Court
Division: 1
Receipt Number: C1000005
Cashier ID: hintond
Transaction Date: 07/12/2011
Payer Name: Stumphauzer Otooole McLaughlin

PRD HAC VICE
For: Stumphauzer Otooole McLaughlin
Case/Party: D-TNE-3-11-BB-000001-001
Amount: \$60.00

PRD HAC VICE
For: Stumphauzer Otooole McLaughlin
Case/Party: D-TNE-3-11-BB-000001-001
Amount: \$60.00

PRD HAC VICE
For: Stumphauzer Otooole McLaughlin
Case/Party: D-TNE-3-11-BB-000001-001
Amount: \$60.00

CHECK
Check/Money Order Num: 6454
Amt Tendered: \$60.00

CHECK
Check/Money Order Num: 6455
Amt Tendered: \$60.00

CHECK
Check/Money Order Num: 6452
Amt Tendered: \$60.00

Total Due: \$180.00
Total Tendered: \$180.00
Change Amt: \$0.00

PHV for Anthony R. Pecora, Matthew
A Dooley and Dennis M. O'toole case
#1:11-cv-181

"Only when bank clears the check,
money order, or verifies credit of
funds is the fee or debt officially
paid or discharged. A \$45 fee will
be charged for a returned check.